

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY/NOCKET NUMBER 20974YP
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/511691</b>
INTERNATIONAL APPLICATION NO. PCT/US03/11956	INTERNATIONAL FILING DATE 17 April 2003 (17.04.2003)	PRIORITY DATE CLAIMED 18 April 2002 (18.04.2002)
TITLE OF INVENTION PROCESS FOR 5[[2(R)-[1(R)-(3,5-BIS(TRIFLUOROMETHYL)PHENYL]ETHOXY]-3(S)-(4-FLUOROPHENYL)-4-MORPHOLINYL]METHYL]-1,2-DIHYDRO-3H-1,2,4-TRIAZOL-3-ONE		
APPLICANT(S) FOR DO/EO/US Mark Huffman, Mahmoud S. Kaba, Joseph F. Payack, David Hands		
<b>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</b>		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (19) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31).</li>   <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)]             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].</li> </ol>		
<b>Items 11 to 18 below concern other document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Article 19.</li> <li>18. <input type="checkbox"/> Other items or information:</li> </ol>		

**EXPRESS MAIL CERTIFICATE**

**DATE OF DEPOSIT** Oct 14, 2004

**EXPRESS MAIL NO.** EL 9895874995

POLICE HONOR CERTIFY THAT THIS CORRESPONDENCE IS 1.825.  
 BEING DEPOSITED WITH THE UNITED STATES POSTAL  
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 COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
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MAILED BY horschase

DATE Oct 14, 2004

U.S. APPLICATION NO. (If known, see 37 CFR 1.492(e)) <b>10/511691</b>	INTERNATIONAL APPLICATION NO. PCT/US03/11956	ATTORNEY'S DOCKET NUMBER DT0114 PCT/FTO 14 OCT 2004 20974YP
19. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS
<b>BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:</b>		PTO USE ONLY
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee [37 CFR 1.445(a)(2)] paid to USPTO and International Search Report not prepared by the EPO or JPO .....		\$1,110.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....		\$950.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee [37 CFR 1.445(a)(2)] paid to USPTO .....		\$790.00
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....		\$750.00
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) .....		\$100.00
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$750.00
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].		
Claims	Number Filed	Number Extra
Total Claims	14 - 20 =	0
Independent Claims	3 - 3 =	0
Multiple dependent claim(s) (if applicable)		+ \$300.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$750.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		
<b>SUBTOTAL =</b>		\$750.00
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ <b>\$130.00</b>
<b>TOTAL NATIONAL FEE =</b>		\$750.00
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property.		+ <b>\$40.00</b>
<b>TOTAL FEES ENCLOSED =</b>		\$750.00
		Amount to be refunded
		charged
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$750.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.		
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.</b>		
SEND ALL CORRESPONDENCE TO:		
Customer No. <u>000210</u> MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970		
DATE: <u>October 14, 2004</u> PHONE #: <u>(732) 594-3904</u>		
 SIGNATURE <u>J. Eric Thies</u> NAME <u>35,382</u> REGISTRATION NUMBER		